IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6629 OF 2005

1. Sushil Shivram Mengade
2. Shailash Shivram Mengade ...Applicants
Vs.
The State of Maharashtra ...Respondent

Mr. Prasad Kulkarni i/by Mr. V.V. Purwant for the Applicants.
Mr. A. S. Gadkari, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : OCTOBER 17, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicants and the learned A.P.P. for the State.This is an Application for Anticipatory Bail in a case registered under sections 143, 144, 147, 148, 325, 326 of the Indian Penal Code.

2. The allegation at highest seems to be that the Applicant No.2 alongwith other persons gave fist and kick blows to the injured person. No specific role has been ascribed to the Applicant No.1. The Applicant No.1 appears to be a student of a college. The clear allegation of assault seems to be against the co-accused. Considering the nature of injuries sustained by the injured person, a case is made out for grant of Anticipatory Bail to the Applicants.

3. Hence, I pass the following order:

: O R D E R :

i) In the event of the arrest of the Applicant in connection with C.R.No.520 of 2005 registered with Kothrud Police Station, Pune, the Applicant shall be enlarged on bail subject to furnishing P.R.Bond in the sum of Rs.5,000/- each with one or two sureties in the like amount.

ii) The Bail is granted subject to condition that the Applicant will attend the concerned Police Station as and when called upon to do so till filing of the chargesheet and will co-operate for investigation.

iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the Police Officer/Investigating Agency. The Applicant shall not tamper with the prosecution evidence.

iv) Any observation made in this order shall not

be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

v) This order will enure to the benefit of the Applicant only till chargesheet is filed. Thereafter, he will be free to apply to the appropriate court for appropriate relief.

vi) Application is disposed of in above terms.

vii) The parties to act upon an authenticated copy of this order.

JUDGE